

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
OCTOBER 5, 1966

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, October 5, 1966, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - BROWN, CULBERTSON, HUNNELL,
KIRSTEN and WALTON (Mayor)

Absent: Councilmen - None

Also present were City Manager Graves, Administrative Assistant Peterson and Assistant City Attorney Sullivan.

MINUTES

On motion of Councilman Kirsten, Brown second, the minutes of September 21, 1966 were approved as written and mailed.

PUBLIC HEARINGS

ANNEX ST. PETER'S
LUTHERAN ADDN

Notice thereof having been published in accordance with law, Mayor Walton opened the public hearing on the proposed annexation of the St. Peter's Lutheran Addition. There were no protests, written or oral. On motion of Councilman Kirsten, Culbertson second, the City Council introduced Ordinance No. 826 annexing St. Peter's Lutheran Addition to the City of Lodi by unanimous vote.

ORD. NO. 826
INTRODUCED

PLANNING COMMISSION

PREZONING SW
COR. KETTLEMAN
& 99 FREEWAY

The Planning Commission recommended the rezoning of a parcel at the southwest corner of U.S. 99 Freeway and Kettleman Lane to C-2, General Commercial, as requested by Atlantic-Richfield Company. On motion of Councilman Brown, Kirsten second, the matter was set for public hearing on October 26, 1966.

PC ACTIONS

Other actions of the Planning Commission taken at its meeting of September 26, 1966, were as follows:

1. Approved the request of Mrs. Ruth Weis for a use permit to expand an existing nursing home caring for retarded children at 430 Concord Street to allow six (6) non-ambulatory children rather than three (3).
2. Recommended the approval of the County Referral of the request of Mr. Vernon Sperling for a use permit to establish a Public Recreation Center on the north side of the Mokelumne River, 1800 feet from Woodbridge Road and 4400 feet from Lower Sacramento Road in an area zoned EA-5, Exclusive Agriculture and RA-15, Residential.
3. Recommended the following actions on zone changes initiated by the San Joaquin County Planning Commission in the Woodbridge area:
 - a. Approval of the rezoning of the Lipelt property from I-A, Interim Agriculture to R-4, Residential for a parcel on the east side of Main Street from 150 feet to 520 feet south of Academy Street.

Minutes of October 5, 1966 continued

- b. Denial of the rezoning of the Kirst property from R-3, Residential to C-1, Neighborhood Commercial at the northwest corner of Chestnut Street and Indiana Street.
- c. Denial of the rezoning of the Osborne property from R-3, Residential to C-1, Neighborhood Commercial on the north side of Indiana Street, 160 feet east of Lilac Street.
- 4. Approved the request of Mr. Wan Lew by Mr. Victor Goehring, Attorney, for a variance to reduce the required lot width from fifty feet (50') to forty feet (40') to permit the construction of a multiple-family dwelling on a lot at 301 Hilborn Street in an area zoned R-4, Multiple-Family Institutional.

This variance was approved because the original 1906 subdivision had created 12 corner lots of 40 feet in width which contained adequate square footage for multiple-family dwellings. The Zoning Ordinance as adopted in 1954 permits one dwelling on a lot with 40 feet in width. All other lots within the general area were subdivided with 50 feet of width.

COMMUNICATIONS

HEARING RE COUNTY DUMPS

A notice was read of a hearing to be held before the County Board of Supervisors on Thursday, October 27, 1966, at 2:30 p.m. to consider the matter of charging householders for refuse disposal in various dump sites in the County. The notice requests as many councilman as possible to attend this meeting.

PROPOSITION 1-A

A communication was received from "Californias for Yes on 1-A" requesting Council support of Proposition 1-A, dealing with revision of the State Constitution, which is to be on the November Ballot.

HEALTH DISTRICT RE ALCOHOLISM ADVISORY COMMITTEE

A letter was read from Dr. Jack Williams, District Health Officer, on behalf of the San Joaquin Local Health District Board of Trustees, inviting the Council to participate in the appointment of an Alcoholism Advisory Committee in San Joaquin County by nominating one or more individuals who would be interested in serving on such a committee. Since the Health District is the public agency administering the local State-supported alcoholism control program, it is responsible for the organization of the local committee as required by State regulations. However, the Board would like to give public bodies and community groups an opportunity to participate in selection of committee members. The Board of Trustees will be meeting on October 25, 1966 to consider appointments. Members of the Council agreed that the Council should submit names of persons interested in serving and requesting that more information be obtained regarding formation and duties of the committee.

CHAMBER OF COMMERCE RE UNDERPASS ON LODI AVENUE

The Board of Directors of the Lodi District Chamber of Commerce requests that the Council consider using funds currently included in the budget for gate crossings on Lodi Avenue at the Southern Pacific tracks for an underpass feasibility study at this location. Mr. Graves stated that he had already discussed this with a representative of the Public Utilities Commission and there would be no problem about using the funds in this manner. Mr. Graves said an engineering firm has been contacted and is to submit cost of such a study. Mr. Graves said he would bring the Council a recommendation November 2.

Minutes of October 5, 1966 continued

MAR-VAL FOOD
STORES RE
GARBAGE RATES

A letter was read from Mr. Mardee Kidd, President of Mar-Val Food Stores, Inc., protesting the rates being charged by the Sanitary City Disposal Company and requesting the Council to make a determination regarding a fair charge. City Manager Graves explained to the Council that the City Code provides that if the disposal company and the customer are unable to reach agreement on the rate to be charged, the City Council is to set the rate. He suggested that the Council conduct a hearing with both firms represented. After discussion, it was moved by Councilman Culbertson, Brown second, that the request of Mar-Val Food Stores be discussed at the meeting of October 26, 1966, and that the principals, Mar-Val Food Stores and Sanitary City Disposal Company, be so notified. The motion passed with Councilman Kirsten abstaining because of direct interest.

D. GOFORTH
CLAIM FOR
DAMAGES

The claim for Personal Injuries filed on behalf of Dennis Goforth was rejected and referred to the City's Agent of Record on motion of Councilman Culbertson, Hunnell second.

TRAILER CLUB
THANKS

A letter was received from the Hook-Um-Up Trailer Club of San Jose thanking the Council for use of Lodi Lake facilities.

LEAGUE
SISTER-CITY
MEETING

Councilman Culbertson stated he had received a communication from the League of California Cities that a Sister-City meeting was being held in San Diego on the afternoon of October 16, but since he has other meetings scheduled he will be unable to attend. Councilman Kirsten said he would be happy to represent the City at this meeting.

REPORTS OF CITY MANAGER

CLAIMS

Claims in the amount of \$633,563.81 were approved on motion of Councilman Hunnell, Kirsten second.

F & M BANK RE
REMOVAL OF ELM
TREES

Mr. Graves read a letter from the Farmers & Merchants Bank outlining the Bank's proposal for landscaping the parking lot at the corner of Church and Pine Streets. The bank is requesting permission to remove two elm trees on Church Street as they would interfere with the parking lot driveway. Mr. Graves stated very little could be done by way of designing the parking lot in order to save the trees. Mr. Jack Hoggatt, 31 North Ham Lane, representing the bank, explained the bank intended to use concrete conduit in planting the camphor trees along Pine and School Streets in order to force the roots down. He felt that if the elm trees were permitted to remain they would be a traffic hazard as Church Street is a busy street and the trees would be projecting into the right of way. Councilman Culbertson moved approval of landscaping plans of Farmers & Merchants Bank and removal of the two elm trees on Church Street. His motion was seconded by Councilman Kirsten and carried by unanimous vote.

1911 IMPROVE-
MENT ACT

Discussion of the request for use of the 1911 Improvement Act to develop the Sunset South subdivision having been continued from the meeting of September 21, was brought up for a determination. Mr. Graves restated his recommendation that the City Council not establish this practice since it involves the City to a great extent, there are possible abuses, and he could see no public benefit.

Minutes of October 5, 1966 continued

Mr. John Capell, 324 La Vida Drive, one of the developers, said he had very little to add to what had already been stated at previous meetings, but that he did want the Council to see the type of forms which would be used. He said the forms would be filled out before being sent to the City and the only thing the City would have to do would be to insert the names and addresses of the property owners and mail the proper forms. The City would also have to write in the amount and date paid on the ledger page for each lot.

Stating that he thought it was proper and worthwhile for the City to form the assessment district under the 1911 Act for financing development of the Sunset South Subdivision, Councilman Kirsten moved that the 1911 Act procedures be used for forming an assessment district subject to a fee of 1% of the assessment plus \$100 per lot. His motion was seconded by Councilman Brown. On being questioned, Mr. Robert Houston, one of the developers, stated the subdivision would be developed regardless of the Council's action and the lots would not be higher in price if the district were not formed as the price would have to be competitive. Councilman Culbertson felt there was no present shortage of lots. He said he was not concerned about added work to the City, but concerned that if this petition to form the assessment district were granted and another petition denied, the City could be taken to court. Councilman Hunnell said it would not be to the best interests of the City to grant the request, that there were 190 lots available, and that if it were granted, he knew of other subdividers who would be asking for the same thing. Mayor Walton stated experience of other cities has dictated against using this method of financing, Lodi has had no experience in this, he could not see great hardship to the subdivider, the City would be getting into the subdivision business, it would result in private gain at the expense of the City, it would set a policy that would be unfair to future councils, and the Council had to look to the best interests of the City. The motion to form the assessment district under the 1911 Act failed to carry by the following vote:

Ayes: Councilmen - BROWN and KIRSTEN

Noes: Councilmen - CULBERTSON, HUNNELL and WALTON

Councilman Culbertson stated perhaps the Council might want to reconsider such a request in another year or so if the situation becomes more dire.

ADOPT WAGE RATES
FOR BLDG &
CONST. TRADES

RES. NO. 3001

Since the City is required to file its schedule of prevailing wages for building and construction trades with the State Director of Industrial Relations in October of each year, Mr. Graves recommended the adoption of prevailing wage rates in this area. On motion of Councilman Brown, Kirsten second, the City Council adopted Resolution No. 3001 adopting the general prevailing rates of per diem wages in accordance with Section 1770 of the State Labor Code.

RECESS

Mayor Walton declared a five-minute recess and reconvened the meeting at 9:30 p.m.

SALARIES -
CLASSIFIED
PERSONNEL

RES. NO. 3002

Mr. Graves reviewed his recommendations for salary increases for classified personnel. Copies of his recommendation and the results of the salary survey had been previously forwarded to members of the Council. He stated that he wished to make some changes in his

Minutes of October 5, 1966 continued

recommendations, as follows: Increase salary ranges for Identification Officer, Apprentice Lineman, Assistant Superintendent of Public Utilities, Utility General Foreman, Line Foreman, Light, and Lineman by 7½%. He said the Identification Officer should be included with other police supervisory personnel in getting the 7½% increase and that in order to keep utility personnel more in line with PG&E, a 7½% increase was in order. Joe McKindley, Dispatcher-Clerk, speaking on behalf of the dispatcher-clerks, requested a larger increase than recommended. Mrs. Ruth Snyder, Stenographer-Clerk II, asked questions concerning the recommendations for clerical personnel in light of the results of the survey. Mr. Graves explained his recommendations as related to the classification plan. Aaron Bauer, Electric Meter Repairman-Inspector, asked why his classification was recommended for a 5% increase rather than 7½% along with the linemen. Mr. Graves said it was an oversight and should have been included in his recommendation for a 7½% increase. Councilman Brown moved that dispatcher-clerks be granted a 7½% increase. His motion died for lack of a second. Councilman Kirsten moved the adoption of Resolution No. 3002 establishing salary ranges for classified personnel in accordance with the City Manager's final recommendations. His motion was seconded by Councilman Brown. Councilman Culbertson asked the City Manager a number of questions concerning various classifications. He then moved to amend the motion of Councilman Kirsten by changing the increase for Engineering Aide I and II from 5% to 7½%. His motion died for lack of a second. The original motion to adopt Resolution No. 3002 then passed by unanimous vote.

SALARIES -
DEPARTMENT HEADS
& ADM. ASSISTANT

Mr. Graves recommended a salary of \$1275 per month for the Director of Public Works and \$1080 per month for the Finance Director. Councilman Culbertson, Brown second, moved that the Finance Director's salary be increased to \$1100. Motion carried. Mr. Graves then recommended the following salaries for other department heads: Police Chief - \$1125; Fire Chief - \$1100; Superintendent of Utilities - \$1175; Director of Recreation and Parks - \$1035; Councilman Culbertson moved that the salary of Director of Recreation and Parks be increased to \$1050. His motion died for lack of a second. Mr. Graves recommended that the top step in the salary range for Planning Director be increased to \$1040 and that of Administrative Assistant to \$930. On motion of Councilman Kirsten, Brown second, the City Council unanimously approved the above recommendations of the City Manager with the exception of the Finance Director which has been approved at \$1100.

SALARIES -
EFFECTIVE DATE

In accordance with Resolution No. 3000, all salary increases granted are effective as of September 1, 1966.

SIDEWALK AT
801 S. CHURCH

Councilman Culbertson stated there was no sidewalk at 801 South Church Street and he felt this should be remedied. On motion of Councilman Culbertson, Brown second, the City Council instructed the City Attorney to write a letter to the property owner at 801 South Church Street about having sidewalk installed.

FRINGE
BENEFITS FOR
EMPLOYEES

The City Manager said the City Employees' Association had requested certain fringe benefits, as follows:

ORD. NO. 827
INTRODUCED

1. Unlimited accumulation of sick leave, and that employees be given credit for any sick leave lost because of the 120-day limitation. Mr. Graves recommended that this request be granted.

Minutes of October 5, 1966 continued

SICK LEAVE,
VACATION &
HOSPITALIZATION

Councilman Culbertson moved the introduction of Ordinance No. 827 granting unlimited accumulation of sick leave to permanent employees as recommended. His motion was seconded by Councilman Kirsten and carried by unanimous vote.

2. Three weeks vacation after five years of service and four weeks after ten years. Mr. Graves recommended that vacation not be extended at this time, although he stated that four weeks after twenty years might be all right.

Mayor Walton was of the opinion that four weeks vacation should be given after twenty years of service. Councilman Culbertson moved that Ordinance No. 827 just introduced include the provision for four weeks vacation after twenty years of service. His motion was seconded by Councilman Kirsten and carried by unanimous vote.

3. Uniform allowance for safety personnel. Mr. Graves said he could not recommend granting this request.

Councilman Kirsten moved that the request for uniform allowance not be granted. His motion was seconded by Councilman Culbertson and carried with Mayor Walton voting no.

4. Three more holidays. Mr. Graves did not favor an increase in holidays.

Councilman Culbertson moved that the request for additional holidays not be granted. His motion was seconded by Councilman Kirsten and carried by unanimous vote.

5. Increase in basic coverage for hospitalization to \$25 per room. The City Manager recommended that this request be granted in April when the policy was being renegotiated.

Councilman Hunnell, Brown second, moved that the increase in hospitalization to \$25 per room be granted. Councilman Culbertson moved to amend the motion to postpone action until April 1967 when negotiations for hospitalization are under way. His motion was seconded by Councilman Kirsten and carried by unanimous vote. The original motion as amended then carried by unanimous vote.

COUNCILMAN
HUNNELL

Councilman Hunnell mentioned the following items: He asked how the plans for Cherokee Lane landscaping were progressing and said he would like a report at the next Council meeting; he mentioned the appeal of Sam Salas regarding a funeral home sign and Mr. Graves said he would check with the Planning Department as to the Planning Commission's recommendation re signs in C-P zones; he requested that something be done about shrubs which were obstructing the view at the intersection of Hutchins and Pine; and he suggested that the Council have a meeting to discuss policies.

COUNCILMAN
KIRSTEN

Councilman Kirsten asked how much progress had been made on obtaining right of way on Lodi Avenue and Mr. Graves reported that Mr. Craig Hubbard had been contacted to do the appraising. He was also concerned about the sidewalk situation at the corner of Lake and Loma Drive. Mr. Graves said the property owner, Mrs. Gloria Hagen, had not been in to see him as she had promised so he would contact her.

Minutes of October 5, 1966 continued

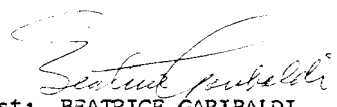
P.C. SALARIES

RES. NO. 3003

Councilman Kirsten said he felt something should be done to compensate the Planning Commissioners. Other members of the Council were in agreement and on motion of Councilman Culbertson, Kirsten second, the City Council adopted Resolution No. 3003 increasing the compensation paid to members of the Planning Commission to \$20 per meeting with a maximum of \$40 per month.

ADJOURNMENT

There being no further business, the Council adjourned at 11:30 p.m. on motion of Councilman Brown.


Attest: BEATRICE GARIBALDI
City Clerk